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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/252,989	02/19/1999	STEFAN ERIKSSON	040000-495	5106

27045 7590 03/05/2003

ERICSSON INC.
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EXAMINER
BURD, KEVIN MICHAEL

ART UNIT	PAPER NUMBER
2631	

DATE MAILED: 03/05/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.	Applicant(s)
09/252,989	ERIKSSON ET AL
Examiner	**Art Unit**
Kevin Burd	2631

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *Feb 3, 2003* .

2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *2-4, 6, 8, 9, 12, 13, and 15-34* is/are pending in the application.

4a) Of the above, claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *2-4, 6, 8, 9, 12, 13, and 15-34* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on *Feb 3, 2003* is/are a) ☒ accepted or b) ☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) ☐ All b) ☐ Some* c) ☐ None of:

1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____ .
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

a) ☐ The translation of the foreign language provisional application has been received.

15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____
4) ☐ Interview Summary (PTO-413) Paper No(s). _____
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other:

DETAILED ACTION

1. This office action, in response to the request for continued examination (RCE) and amendment filed 2/3/2003, is a non-final office action.

Response to Arguments

2. The proposed drawing changes filed 2/3/2003 are approved by the examiner.

3. Applicant's arguments with respect to claims 2, 3, 6, 8, 9, 12, 13 and 15 have been considered but are moot in view of the new grounds of rejection.

4. Rejections to new claims 16-34 are stated below.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless -
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under treaty defined in section 351 (a) shall have the effects for the purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 2-4, 6, 8, 9, 12, 13 and 15-34 are rejected under 35 U.S.C. 102(e) as being anticipated by Olafsson et al (US 6,278,744).

Regarding claim 9, Olafsson discloses a system for controlling redundancy of signal transmission. Olafsson discloses that redundancy must be added to unsure lossless coding by the transmitter (column 5, lines 44-46) therefore, blocks of data are encoded and transmitted to a receiver. The receiver stores the received data (column 14, lines 38-42) and calculates information for determining characteristics of the channel (column 13, lines 7-17). The channel characteristics are used to determine the amount of redundancy to be selected for the next transmission (column 13, lines 7-17). The transmitter will receive this information and increase or decrease redundancy in the transmission to the receiver. The receiver will be able to support the additional redundancy, which will allow for the error free recovery of the originally transmitted data, if the receiver requests the additional redundancy.

Regarding claim 13, the transmission to the transmitter includes channel information (column 13, lines 7-17).

Regarding claim 15, Olafsson discloses a system for controlling redundancy of signal transmission. Olafsson discloses that redundancy must be added to unsure lossless coding by the transmitter (column 5, lines 44-46) therefore, blocks of data are encoded and transmitted to a receiver. The receiver stores the received data (column 14, lines 38-42) and calculates information for determining characteristics of the channel (column 13, lines 7-17). The channel characteristics are used to determine the amount of redundancy to be selected for the next transmission (column 13, lines 7-17).

The transmitter will receive this information and increase or decrease redundancy in the transmission to the receiver. The receiver will be able to support the additional redundancy, which will allow for the error free recovery of the originally transmitted data, if the receiver requests the additional redundancy.

Regarding claim 16, as long as the channel characteristics remain the same, all data blocks will be decoded using the same amount of redundancy.

Regarding claim 17, Olafsson discloses a system for controlling redundancy of signal transmission. Olafsson discloses that redundancy must be added to unsure lossless coding by the transmitter (column 5, lines 44-46) therefore, blocks of data are encoded and transmitted to a receiver. The receiver stores the received data (column 14, lines 38-42) and calculates information for determining characteristics of the channel (column 13, lines 7-17). The channel characteristics are used to determine the amount of redundancy to be selected for the next transmission (column 13, lines 7-17). The transmitter will receive this information and increase or decrease redundancy in the transmission to the receiver. The receiver will be able to support the additional redundancy, which will allow for the error free recovery of the originally transmitted data, if the receiver requests the additional redundancy.

Regarding claim 18, Olafsson discloses the increase of redundancy is used to ensure error free recovery of the originally transmitted data. This increase or decrease of redundancy will indicate if an increase redundancy mode is preferred or not.

Regarding claim 19, the increase or decrease of redundancy will act on future data transmissions that occur when the characteristics of the channel remain the same.

Regarding claims 26, 27, 30, 31 and 34, the redundancy will be increased if a large number of errors are present in the received transmission, which make it impossible to properly recover the transmitted data.

Regarding claims 2, 6 and 32, the transmission to the transmitter includes channel information (column 13, lines 7-17).

Regarding claims 3, 4 and 8, the amount of redundancy will be increased or decrease based on the transmission from the receiver. This additional redundancy will encode the signal for transmission to the receiver and can be different than the prior transmission to the receiver.

Regarding claim 20, Olafsson discloses a system for controlling redundancy of signal transmission. Olafsson discloses that redundancy must be added to unsure lossless coding by the transmitter (column 5, lines 44-46) therefore, blocks of data are encoded and transmitted to a receiver. The receiver stores the received data (column 14, lines 38-42) and calculates information for determining characteristics of the channel (column 13, lines 7-17). The channel characteristics are used to determine the amount of redundancy to be selected for the next transmission (column 13, lines 7-17). The transmitter will receive this information and increase or decrease redundancy in the transmission to the receiver. The receiver will be able to support the additional

redundancy, which will allow for the error free recovery of the originally transmitted data, if the receiver requests the additional redundancy.

Regarding claim 21, as long as the channel characteristics remain the same, all data blocks will be decoded using the same amount of redundancy.

Regarding claim 22, Olafsson discloses a system for controlling redundancy of signal transmission. Olafsson discloses that redundancy must be added to unsure lossless coding by the transmitter (column 5, lines 44-46) therefore, blocks of data are encoded and transmitted to a receiver. The receiver stores the received data (column 14, lines 38-42) and calculates information for determining characteristics of the channel (column 13, lines 7-17). The channel characteristics are used to determine the amount of redundancy to be selected for the next transmission (column 13, lines 7-17). The transmitter will receive this information and increase or decrease redundancy in the transmission to the receiver. The receiver will be able to support the additional redundancy, which will allow for the error free recovery of the originally transmitted data, if the receiver requests the additional redundancy.

Regarding claims 23-25, as long as the channel characteristics remain the same, all data blocks will be decoded using the same amount of redundancy.

Regarding claim 28, Olafsson discloses a system for controlling redundancy of signal transmission. Olafsson discloses that redundancy must be added to unsure lossless coding by the transmitter (column 5, lines 44-46) therefore, blocks of data are

encoded and transmitted to a receiver. The receiver stores the received data (column 14, lines 38-42) and calculates information for determining characteristics of the channel (column 13, lines 7-17). The channel characteristics are used to determine the amount of redundancy to be selected for the next transmission (column 13, lines 7-17). The transmitter will receive this information and increase or decrease redundancy in the transmission to the receiver. The receiver will be able to support the additional redundancy, which will allow for the error free recovery of the originally transmitted data, if the receiver requests the additional redundancy.

Regarding claim 29, as long as the channel characteristics remain the same, all data blocks will be decoded using the same amount of redundancy.

Regarding claim 33, Olafsson discloses a system for controlling redundancy of signal transmission. Olafsson discloses that redundancy must be added to unsure lossless coding by the transmitter (column 5, lines 44-46) therefore, blocks of data are encoded and transmitted to a receiver. The receiver stores the received data (column 14, lines 38-42) and calculates information for determining characteristics of the channel (column 13, lines 7-17). The channel characteristics are used to determine the amount of redundancy to be selected for the next transmission (column 13, lines 7-17). The transmitter will receive this information and increase or decrease redundancy in the transmission to the receiver. The receiver will be able to support the additional

redundancy, which will allow for the error free recovery of the originally transmitted data, if the receiver requests the additional redundancy.

Regarding claim 12, all information concerning the increase or decrease in redundancy is included in one message to the transmitter (column 13, lines 7-17).

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Khan et al (US 2001/0056560) discloses the receiver receiving the transmitted data and then determining the amount of redundancy to request from the transmitter based on a quality estimate (paragraph 37).

Contact Information

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

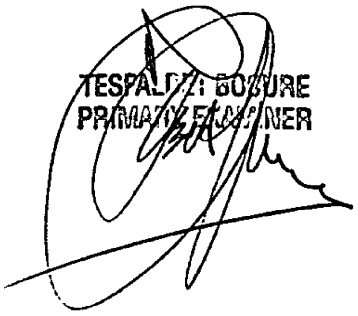
(703) 872-9314, (for formal communications intended for entry or for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington. VA., Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Burd, whose telephone number is (703) 308-

7034. The Examiner can normally be reached on Monday-Thursday from 9:00 AM - 6:00 PM.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3800.



Kevin M. Burd
PATENT EXAMINER
March 1, 2003